

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- v. -

MOHAMMED ANWAR,

Defendant.

07 CRIM. 411
Information

07 Cr.

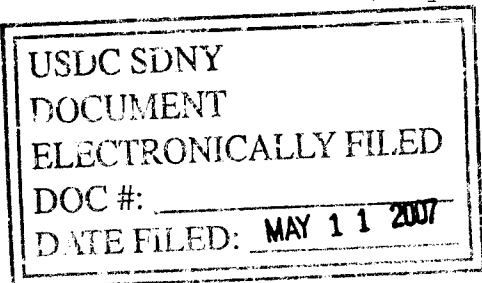
07 CRIM. 411

COUNT ONE

The United States Attorney charges:

1. From in or about December 2004, up to and including in or about December 2006, in the Southern District of New York and elsewhere, MOHAMMED ANWAR, the defendant, and others known and unknown, unlawfully, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1344.

2. It was a part and object of the conspiracy that MOHAMMED ANWAR, the defendant, and others known and unknown, unlawfully, willfully and knowingly, would and did execute, and attempt to execute, a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain the moneys, funds, credits, assets, securities, and property owned by, and under the custody and control of, such financial institution, by



means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, MOHAMMED ANWAR, the defendant, committed the following overt act, among others, in the Southern District of New York and elsewhere:

a. In or about June 2005, ANWAR withdrew money from a checking account at Washington Mutual Bank in the Bronx, New York, in another individual's name, knowing that the withdrawn funds had been transferred from other fraudulent accounts.

(Title 18, United States Code, Section 1349.)

COUNT TWO

The United States Attorney further charges:

4. From in or about December 2004 up to and including December 2006, MOHAMMED ANWAR, the defendant, unlawfully, willfully, and knowingly, and with intent to defraud, in an offense affecting interstate commerce, did effect transactions, with one and more access devices issued to another person and persons, to receive payment and any other thing of value during a one-year period the aggregate value of which is equal to and

greater than \$1,000, to wit, ANWAR purchased goods and services using access devices that were obtained without authorization under other individuals' names and identifying information.

(Title 18, United States Code, Sections 1029(a)(5) and 2.)

COUNT THREE

The United States Attorney further charges:

5. From in or about December 2004 up to and including in or about December 2006, in the Southern District of New York and elsewhere, MOHAMMED ANWAR, the defendant, and others known and unknown, unlawfully, willfully and knowingly, with intent to defraud, in an offense affecting interstate commerce, did combine, conspire, confederate, and agree together and with each other to commit an offense under Title 18, United States Code, Section 1029(a)(5).

6. It was a part and object of the conspiracy that MOHAMMED ANWAR, the defendant, and others known and unknown, unlawfully, willfully and knowingly, and with intent to defraud, in an offense affecting interstate commerce, would and did traffic in and use one or more unauthorized access devices during a one-year period, and by such conduct obtained a thing of value aggregating \$1,000 or more during that period, in violation of Title 18, United States Code, Section 1029(a)(2).

7. It was further a part and object of the conspiracy

unlawfully, willfully and knowingly, and with intent to defraud, in an offense affecting interstate commerce, would and did possess fifteen or more devices which are counterfeit or unauthorized access devices, in violation of Title 18, United States Code, Section 1029(a)(3).

8. It was further a part and object of the conspiracy that MOHAMMED ANWAR, the defendant, and others known and unknown, unlawfully, willfully and knowingly, and with intent to defraud, in an offense affecting interstate commerce, would and did effect transactions, with one and more access devices issued to another person and persons, to receive payment and any other thing of value during a one-year period the aggregate value of which is equal to and greater than \$1,000, in violation of Title 18, United States Code, Section 1029(a)(5).

Overt Acts

9. In furtherance of the conspiracy and to effect the illegal object thereof, MOHAMMED ANWAR, the defendant, committed the following overt act, among others, in the Southern District of New York and elsewhere:

a. On or about August 25, 2006, ANWAR requested that another co-conspirator pay ANWAR's tuition expenses at Globe Institute of Technology in New York, New York, using an unauthorized access device.

(Title 18, United States Code, Sections 1029(b)(2).)

COUNT FOUR

The United States Attorney further charges:

10. From in or about December 2004 through in or about December 2006, MOHAMMED ANWAR, the defendant, unlawfully, wilfully and knowingly, having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice and attempting so to do, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, to wit, ANWAR opened and transferred funds between fraudulent credit card and checking accounts using the telephone and the internet.

(Title 18, United States Code, Section 1343.)

COUNT FIVE

The United States Attorney further charges:

11. From in or about December 2004 up to and including in or about December 2006, in the Southern District of New York and elsewhere, MOHAMMED ANWAR, the defendant, and others known and unknown, unlawfully, willfully and knowingly, did combine, conspire, confederate, and agree together and with

each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1028(a)(3).

12. It was a part and object of the conspiracy that MOHAMMED ANWAR, the defendant, and others known and unknown, unlawfully, willfully and knowingly, would and did knowingly possess with intent to use unlawfully or transfer unlawfully five or more identification documents (other than those issued lawfully for the use of the possessor), authentication features, or false identification documents, in violation of Title 18, United States Code, Section 1028(a)(3).

Overt Acts

13. In furtherance of the conspiracy and to effect the illegal object thereof, MOHAMMED ANWAR, the defendant, committed the following overt act, among others, in the Southern District of New York and elsewhere:

a. In or about March 2005, ANWAR traveled to the New York Department of Motor Vehicles and requested that the photograph on a driver's license issued to another individual be replaced with his own photograph.

(Title 18, United States Code, Section 1028(f).)

COUNT SIX

The United States Attorney further charges:

14. From in or about December 2004, up to and including in or about December 200, in the Southern District of New York and elsewhere, MOHAMMED ANWAR, the defendant, unlawfully, willfully and knowing, during and in relation to a felony violation enumerated in subsection (c) of Title 18, United States Code, Section 1028A, did transfer, possess, and use, without lawful authority, means of identification of other persons, to wit, ANWAR and his co-conspirators used the names and personal identity information of other individuals in furtherance of the fraud offenses charged in Counts One through Five of this Information.

(Title 18, United States Code, Section 1028A(a)(1) and 2.)

FORFEITURE ALLEGATION

AS TO COUNTS ONE THROUGH SIX

15. As a result of committing the offenses alleged in Counts One through Six of this Indictment, MOHAMMED ANWAR, the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 982, any property constituting or derived from proceeds obtained directly or indirectly as a result of the bank fraud conspiracy, credit card fraud conspiracy, and aggravated identity theft offenses.

Substitute Asset Provision

16. If any of the above-described forfeitable

property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982 and Title 18, United States Code, Sections 2, 1028, 1028A, 1029, 1343, 1349.)

A handwritten signature in cursive script, reading "Michael J. Garcia", written in dark ink.

MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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(18 U.S.C. §§ 2, 1028, 1028A, 1029, 1343, 1349)

MICHAEL J. GARCIA

United States Attorney.

5/11/07
Pld Int + Waiver of Fed. Nurs Bond
Civ. 11 per Post Mohamed Anwar
per w/atty Phyllis Klyer. Consent to Proceed
before Pky Panel. Post photo. Guilty to CT's
1, 2, 3, 4, 5, 6 of Fed. Postcard Scheme

Atty Judge Morgan